

Utah Division of Oil, Gas & Mining 2010 Legislative Session

Bill #	Bill Title	Bill Sponsor	Purpose of Bill	Status (Last Action)
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DIVISION AND ENERGY BILLS

H.B. 143	Eminent Domain Authority	Rep. Herrod	Authorizes the state to exercise eminent domain authority on property possessed by the federal government unless the land was acquired with consent of the Legislature and in accordance with the U.S. Constitution's Enclave Clause (military, +). Intention is to access more SITLA lands for development. Second amendment allows Utah to be Plaintiff and lists sections that do not apply.	2/10 Public Distribution 2/25 House Passed amended 3/9 Senate Passed amended 3/10 House Concurs 3/10 Enrolling
H.B. 192	Renewable Energy – Methane Gas	Rep. Watkins	Provides for methane gas from certain coal mine facilities among the type of waste gases considered as a renewable energy source. Amend on 2/16 in Senate Committee to exclude working coal mines.	1/19 Public Distribution 2/9 House Passed 2/22 Senate Passed amended 2/23 House Concurs 2/25 Enrolling
H.B. 203	Repeal of Sales and Use Tax Exemption Relating to Mining	Rep. Watkins	Repeals sales and use tax exemption for certain machinery, equipment, or parts related to mining which commenced 1/1/2008.	1/6 Public Distribution 1/11 Cost of \$23Mil/Year 3/11 Bill Failed
H.B. 309	Surface Owner Protection Act	Rep. Mathis	Requires O&G Operator to give notification and information, enter into a surface owner agreement, and provide bonding to OGM if no agreement. Amended on 2/19 to exclude SITLA minerals due to existing provision.	2/8 Public Distribution 2/19 House Comm Passed amended 3/11 Bill Failed
H.B. 324-S1	Public Lands Litigation	Rep. Sumsion	Directs the AG to file eminent domain or quiet title to facilitate management of trust lands. Sub #1 set aside funds for FY2011-13 from the Land Exchange Distribution Account. Senate amendment appropriated General Funds to defense council.	2/12 Public Distribution 2/26 House substituted, amended and Passed. 3/9 Senate Passed amended 3/10 House Concurs 3/10 Enrolling

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H.B. 395	Limitation of Actions Amends	Rep. Noel	Limits the liability of persons or businesses for damage or injury caused by greenhouse gas emissions, unless the emission violated a statutory limitation or air permit.	2/23 Public Distribution 3/2 House Passed 3/11 Senate Passed Amended 3/11 Enrolling
H.J.R. 12	Climate Change Joint Res.	Rep. K Gibson	Urges the EPA to cease their CO2 reduction policies and regulations until climate data and global warming science are substantiated.	1/25 Public Distribution 2/9 House passed. 2/26 Senate passed 3/2 Enrolling
H.J.R. 21	Joint Resolution on Energy Policy	Rep. Noel	Urges the Governor to withdraw Utah from the Western Climate Initiative.	2/4 Public Distribution 2/24 House Passed 3/11 Senate Passed 3/11 Enrolling
H.R. 8	Resolution Recognizing Energy Innovation in Utah	Rep. Hutchings	Expresses support for policies that promote and foster energy innovation development in Utah	2/24 Public Distribution 3/5 House Passed 3/8 Enrolling
S.B. 164	Surety Requirements for Mining	Sen. Stowell	In the Minerals Program, require the BOGM to annually establish an average cost of reclamation per acre after a Division presentation and public comment opportunity.	2/10 Public Distribution 3/1 Senate Passed 3/11 Bill Failed
S.B. 242	Economic Dev Incentives for Alternative Energy Projects	Sen. Van Tassell	Modifies the Renewable Energy Development Act to the Alternative EDA. Alternative energy definition includes shale oil, nuclear fuel and tar sands. GOED may create alternative energy development zones and provide for tax credits.	2/10 Public Distribution 3/2 Senate passed. 3/9 House Passed 3/10 Enrolled
S.C.R. 12	Responsible Development of Public Lands Concurrent Resolution	Sen. Van Tassell	Strongly encourages the United States Department of the Interior to develop policies that will promote the responsible development of Utah's public lands. (specifically related to oil & gas development)	2/26 Public Distribution 3/8 Senate Passed amended 3/11 Bill Failed
H.B. 328	Severance Tax Amendments	Rep. Mathis	Boxcar bill w/o text. May involve use of severance tax money.	2/5 Bill numbered

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Bill #	Bill Title	Bill Sponsor	Purpose of Bill	Status (Last Action)
S.B. 228	Mineral Rights Clarification	Sen. Dayton	Boxcar bill w/o text. Sand and gravel title issue. To Interim.	2/5 Bill numbered
S.B. 260	Energy Policy Amends	Sen. Niederhauser	Boxcar bill w/o text	2/5 Bill numbered
ADMINISTRATIVE BILLS				
Bill #	Bill Title	Bill Sponsor	Purpose of Bill	Status
H.B. 2	FY 2010 and FY11 Supplemental Appropriations	Rep. Bigelow	For OGM, provides limited use nonlapsing funds of \$400K into FY11 if such funds available at the close of FY10. For FY11, OGM budget is reduced 3% for General Funds (in addition to the 2% in S.B.1), plus certain adjustments for statewide costs like DTS, health insurance, etc. DOGM fee schedule for FY11 also in this bill, with no adjustment to coal program fees per NR Appropriation Comm.	3/8 Public Distribution 3/9 House Passed 3/9 Senate Passed 3/11 Enrolled
H.B. 3	Appropriations Adjustments	Rep. Bigelow	Adjusts appropriations for FY10 and FY11 but no direct impact to OGM. Also urges the Permanent Community Impact Board to consider an additional \$5 Mil request from Carbon and Duchesne Co to address transportation issues related to new gas wells, contingent upon \$10 Mil commitment from private donors to complete improvements to Nine Mile Canyon Road.	3/11 Public Distribution 3/11 House Passed amended 3/11 Senate Passed amended 3/11 House Concurs 3/11 Enrolling
H.B. 6	State Agency Compensation Appropriations	Rep. Dee	Adjusts non-salary compensation for FY10 and FY11. Reduces OGM by \$48K in FY10 due to change in "other post employment benefits." Increases OGM by \$49.9K in FY11 for portion of health insurance, some retirement, and unemployment insurance.	3/8 Public Distribution 3/9 House Passed 3/10 Senate Passed 3/11 Enrolling
H.B. 27	Per Diem and Travel Expense Modifications	Rep. Frank	Replaces language used to describe per diem and travel expenses for members of boards and commissions with standardized language referencing other relevant statutory provisions. Title 40 included.	12/15/09 Public distribution 1/26 House Passed 2/5 Senate Passed 2/10 Enrolling
H.B. 83-S1	Public Employees Retirement – Spousal Election	Rep. Wallis	Requires person who is selecting a retirement allowance or a partial lump-sum to have consent from the person's spouse. Substitute changed to URS provide notice to spouse of election made.	1/12 Public Distribution 3/11 Bill Failed

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Bill #	Bill Title	Bill Sponsor	Purpose of Bill	Status (Last Action)
H.B. 140-S2	Human Resource Management Amends Amendments	Rep. Dee	Repeals steps within pay ranges, consolidates classification schedules, repeals provision that most recently earned sick leave shall be used first, amends promotion increases, replaces the Career Service Review Board with an Office, etc. Sub #1&2 include minimum 5% for promotion, amends grievance burden of proof, and amends the scope of authority of the Office.	2/5 Public Distribution 3/2 House Passed 3/9 Senate Passed Subst. 3/10 House Concurs 3/10 Enrolling
H.B. 177	Public Employees' Health Care	Rep. Litvak	Extends health insurance coverage for state employees to include an adult designee.	2/4 Public Distribution 2/15 Fiscal Note of \$1.7 Million. 3/11 Bill Failed
H.B. 233	Retirement Office Amendments	Rep. Ipson	Makes technical retirement amendments related to purchase of service credit, disability benefits, and termination of employment.	1/21 Public Distribution 2/12 House Passed 3/11 Senate Passed 3/11 Enrolling
H.B. 263	Technical Cross Reference Revisions	Rep. Anderson	Technical corrections including alphabetizing definitions, updating cross references, and correcting numbering. Title 40 is included in the minor wording amendments.	1/28 Public Distribution 2/12 House Passed 2/25 Senate Passed 2/26 Enrolling
H.B. 266-S1	Government Records Access and Management Act Revisions	Rep. Powell	Provides for governmental entities to release compensation information in ranges. Appointed or elected identified by name, others by job title. Substitution modified disclosure of compensation	1/28 Public Distribution 3/11 Bill Failed
H.B. 278-S2	Government Records Access and Management Act Amendments	Rep. Herrod	Modifies GRAMA – agency to provide electronic format if requested, subject to certain restrictions; if denial of record request, must be within 5 days. Substitute 2 added provide reasons for denial	2/1 Public Distribution 2/23 House Passed Subst 3/4 Senate Passed 3/5 Enrolling

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Bill #	Bill Title	Bill Sponsor	Purpose of Bill	Status (Last Action)
H.B. 315	Utah Public Notice Website Amendments	Rep. Powell	Eliminates Public Notice Website requirement for public bodies with annual budget of less than \$1,000,000. 2/18 amendment limited the exemption until 12/2012.	2/8 Public Distribution 2/22 House Passed amended 3/4 Senate Passed 3/8 Enrolling
H.B. 333	Reemployed Retiree Contribution Amendments	Rep. Litvack	Amends employer contributions for retirees that begin reemployment on or after July 1, 2010	2/11 Public Distribution 3/11 Bill Failed
H.B. 343	Great Salt Lake Advisory Council	Rep. Ferry	Creates the Council to advise the Governor, DNR and DEQ on the sustainable use, protection, and development of the Great Salt Lake.	2/25 Public Distribution 3/3 House Passed amended 3/10 Senate Passed amended 3/11 Enrolling
H.B. 353	Non-lapsing Dedicated Credit Amends	Rep. Bigelow	Eliminates nonlapsing authority for 23% of nonlapsing funds created in statute. Eliminated funds relate to dedicated credits as the source of funds. O&G Conservation Account continues nonlapse authority.	3/4 Public Distribution 3/8 House Passed amended 3/11 Senate Passed amended 3/11 Enrolling
H.B. 402	Department of Administrative Services Modifications	Rep. S. Clark	Provides authority for the Dept of Administrative Services to operate the Divisions of Finance, Administrative Rules, and Archives as internal service funds.	2/18 Public Distribution 3/1 House Passed 3/9 Senate Passed 3/9 Enrolling
H.B. 425-S1	Budgetary Procedures Act - Fee Amendments	Rep. Bigelow	Exempts self-supporting Higher Education entities from fee requirements in this Act; Clarifies that an agency may not set fees by rule or collect fees unless established according to the Act.	2/25 Public Distribution 3/5 House Passed 3/11 Senate Passed 3/11 Enrolling
H.B. 429	Newspaper Publication Requirements	Rep. Anderson	Specifies newspaper qualifications to be of general circulation for purposes of publishing legally required notices and similar pub's	2/23 Public Distribution 3/5 House Passed 3/9 Bill Failed

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Bill #	Bill Title	Bill Sponsor	Purpose of Bill	Status (Last Action)
S.B. 1	State Agency & Higher Education Base Budget	Sen. Hillyard	Appropriates FY2011 funds including a 2% decrease of General Funds.	1/25 Public Distribution 2/2 Senate Passed. 2/3 House Passed 2/18 Gov Signed
S.B. 3-S1	Current FY Supplemental Appropriations	Sen. Hillyard	Provides for Funding adjustments to FY10 to be effective immediately. OGM portion is (\$5,600) in General Funds.	2/12 Senate Passed 2/12 House Passed 2/26 Gov Signed
S.B. 13	State Construction Contracts and Drug and Alcohol Testing	Sen. Mayne	Modifies the Utah Procurement Code to address requirements for random drug and alcohol testing for state construction contracts.	12/14/09 Public Distribution 1/26 Senate Passed 2/11 House Passed 2/15 Enrolling
S.B. 22-S4	Notary Public Amendments	Sen. Knudson	Modifies the Notaries Public Reform Act by adding two items for the notary to include in a notarial certificate; authority for Attorneys notary rights; authority for lieutenant governor to report a violation to the Utah State Bar; simplified notary's certificate and codes affected. Sub. 4 requires an applicant to sign a statement.	12/14/09 Public Distribution 1/29 Senate Passed 2/25 House Passed 2/26 Enrolling
S.B. 42	Retirement Eligibility Modifications	Sen. Liljenquist	Modifies the State Retirement and Insurance Benefit Act by amending the years of service credit needed for retirement eligibility and allowance reductions for certain members.	1/19 Public Distribution 2/2 Fiscal note: savings of \$30,112,600. 3/11 Bill Failed
S.B. 43-S3	Post-retirement Employment Amendments	Sen. Liljenquist	Modifies the State Retirement Act by amending provisions related to a retiree who returns to work for a participating employer. Retirement checks stop and earn more retirement credit Sub #3: If re-employment occurs after one year, retiree has added option to retain retirement check, and employer contribution to retirement system doesn't increase employee retirement.	1/19 Public Distribution 2/19 Senate Passed 2/26 House Passed Sub 3. 3/1 Senate Concurs 3/2 Enrolling

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S.B. 48-S2	Non-lapsing Authority Technical Amendments	Sen. Okerlund	Reorganizes the list of codified non-lapsing funds in the Budgetary Procedures Act. O&G Conservation Account remains in Code.	2/2 Renamed bill. 2/8 Senate passed 3/3 House Passed Subst. 3/4 Senate Concurs 3/5 Enrolling
S.B. 63-S3	New Public Employees' Tier II Contributory Retirement	Sen. Liljenquist	Creates new Tier II retirement system for employees new on 7/1/11, originally with choice between 35 year hybrid system at 1% per year or 8% defined contribution. Substitute #3 provides for 1.5% per year on hybrid and 10% defined contribution.	2/4 Public Distribution 2/19 Senate Passed 2/26 House passed Sub 3. 3/1 Senate Concurs 3/2 Enrolling
S.B. 89-S1	Legal Notice Amendments	Sen. Urquhart	Clarifies in 45-1-101 on Legal Notice Publication Requirements that agencies still required to comply with Open & Public Meetings Act. UDOT allowed new provision for bids not published in newspapers since small bidding community per sponsor. Corrects agencies from Legal Notice Website to Public Notice Website if statute stated public hearing or public meeting (not OGM).	1/14 Public Distribution 2/23 Senate Passed Subst 3/11 House Passed 3/11 Enrolling
S.B. 94	Supplemental Benefit Amend for Noncontributory Public Employees	Sen. Liljenquist	Modifies the Noncontributory Retirement Act by removing the requirement that 1.5% of salary be paid into a 401K account.	1/19 Public Distribution 1/27 Fiscal Note: Savings of \$23,881,800 3/1 Senate withdrew bill
S.B. 240-S1	Retirement Participation Amendments	Sen. Liljenquist	Modifies the Retirement Act to allow certain employers and employees to be excluded from participation in the Public Employees' Non-Contributory Retirement System, e.g USTAR.	2/25 Public Distribution 3/8 Senate Passed amended 3/11 House Passed 3/11 Enrolling
S.J.R. 15	Master Study Resolution	Sen. Jenkins	Items for study during Interim which includes Sand and Gravel title classification (SB 228) and Surface Owner Protection (HB 309)	3/11 Public Distribution 3/11 Senate Passed 3/11 House Passed 3/11 Enrolling

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Bill #	Bill Title	Bill Sponsor	Purpose of Bill	Status (Last Action)
H.B. 359	Utah Retirement Sys Modif.	Rep. Ipson	Boxcar bill w/o text	2/5 Bill numbered
H.B. 392	Zero Based Budgets - State	Rep. Frank	Boxcar bill w/o text	2/5 Bill numbered
H.B. 412	Retirement Task Force	Rep. Brown	Boxcar bill w/o text	2/5 Bill numbered
H.B. 415	Email Communication	Rep. Powell	Boxcar bill w/o text	2/5 Bill numbered
H.B. 439	Budget Modifications	Rep. Bigelow	Boxcar bill w/o text	2/5 Bill numbered
H.B. 446	General Appropriations Act	Rep. Litvack	Boxcar bill w/o text	2/5 Bill numbered
S.B. 190	Procurement Code Amends	Sen. Davis	Boxcar bill w/o text	2/5 Bill numbered
S.B. 264	Budget Revisions	Sen. Hillyard	Boxcar bill w/o text	2/5 Bill numbered
S.J.R. 12	Joint Rules Res on Fiscal Note Process	Sen. Niederhauser	Boxcar bill w/o text	2/5 Bill numbered

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